

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

STRIKE 3 HOLDINGS, LLC,)	
)	
Plaintiff,)	Civil Case No. 1:18-cv-00370-ELH
)	
v.)	
)	
JOHN DOE subscriber assigned IP address)	
173.69.254.162,)	
)	
Defendant.)	
_____)	

**PLAINTIFF’S *EX-PARTE* APPLICATION FOR EXTENSION OF TIME WITHIN
WHICH TO EFFECTUATE SERVICE ON JOHN DOE DEFENDANT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Strike 3 Holdings, LLC (“Plaintiff”), makes this *ex-parte* application for entry of an order extending the time within which to effectuate service on John Doe Defendant, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s true identity is known by their Internet service provider (“ISP”).
2. On February 21, 2018, Plaintiff was granted leave to serve a third party subpoena on Defendant’s ISP to obtain the Defendant’s identifying information [CM/ECF 7]. Plaintiff issued the subpoena on or about March 1, 2018 and expected to receive the ISP’s response on or about April 30, 2018. To date, Plaintiff has not received the ISP response.
3. Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than May 7, 2018. Because the ISP has not yet responded and Defendant’s identity is currently unknown to Plaintiff, Plaintiff is unable to comply with the current service deadline.
4. Procedurally, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended an additional sixty

(60) days from May 7, 2018 (the current deadline to effect service) and thus the deadline to effect service be extended to July 6, 2018.

5. This application is made in good faith and not for the purpose of undue delay.

6. This is Plaintiff's first request for an extension. None of the parties will be prejudiced by the granting of this extension.

WHEREFORE, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended until July 6, 2018.

A proposed order is attached for the Court's convenience.

Dated: May 7, 2018

Respectfully submitted,

By: /s/ Jessica Haire
Jessica Haire, Esq. (20252)
jhaire@foxrothschild.com
Fox Rothschild LLP
1030 15th Street, NW
Suite 380 East
Washington, DC 20005
Tel.: (202) 461-3100
Fax: (202) 461-3102
www.foxrothschild.com